



# NOTICE OF PREPARATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

*Promoting the Wise Use of Land • Helping to Build Great Communities*

**DATE:** June 29, 2009

**FROM:** Department of Planning and Building  
976 Osos St., Room 300  
San Luis Obispo, CA 93408-2040  
ATT: Murry Wilson, Project Manager

**SUBJECT: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE COUNTY OF SAN LUIS OBISPO – GRADING AND STORMWATER MANAGEMENT REVISIONS TO THE LAND USE ORDINANCE, COASTAL ZONE LAND USE ORDINANCE, COASTAL PLAN POLICIES, AND NORTH COAST AREA PLAN.**

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report for the above-referenced project. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

PLEASE provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

1. **NAME OF CONTACT PERSON.** Murry Wilson – (805) 788-2352  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408
2. **PERMIT(S) or APPROVAL(S) AUTHORITY.** Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. **ENVIRONMENTAL INFORMATION.** What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?

4. **PERMIT STIPULATIONS/CONDITIONS.** Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there others that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. **ALTERNATIVES.** What alternatives does your agency recommend be analyzed in equivalent level of detail with those listed above?
6. **REASONABLY FORESEEABLE PROJECTS, PROGRAMS or PLANS.** Please name any future project, programs or plans that you think may have an overlapping influence with the project as proposed.
7. **RELEVANT INFORMATION.** Please provide references for any available, appropriate documentation you believe may be useful to the county in preparing the Environmental Impact Report. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. **FURTHER COMMENTS.** Please provide any further comments or information that will help the county to scope the document and determine the appropriate level of environmental assessment.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response by July 31, 2009 to Murry Wilson at the following address:

Murry Wilson, Environmental Resource Specialist  
Department of Planning and Building  
County Government Center, Room 300  
San Luis Obispo, CA 93408

**PROJECT TITLE:** Grading and Stormwater Management Ordinance Revisions – EIR  
(LRP2008-00007)

**PROJECT APPLICANT:** County of San Luis Obispo

Signature: \_\_\_\_\_  
Murry Wilson

Telephone: (805) 788-2352  
Email: mwilson@co.slo.ca.us

Reference: California Code of Regulations, Title 14, Section 15082.

**COUNTY OF SAN LUIS OBISPO**  
**NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT**

**GRADING AND NPDES STORMWATER MANAGEMENT REVISIONS TO  
THE LAND USE ORDINANCE, COASTAL ZONE LAND USE ORDINANCE,  
COASTAL PLAN POLICIES, AND NORTH COAST AREA PLAN**

**1. PROJECT OBJECTIVES**

The grading and stormwater management revisions are intended to fulfill the requirements mandated by the State Water Resource Control Board which are required under the County's Stormwater Management Plan (SWMP). The Stormwater Management Plan itself is a document guiding the County's actions to ensure compliance with the National Pollution Discharge Elimination System (NPDES) Phase Two program. Additionally the proposed ordinance revisions will make the grading, drainage, and erosion control requirements in the inland and coastal portions of the county consistent with one another. Finally, updating and clarifying language pertaining to grading thresholds, agricultural exemptions, and the alternative review program will help to avoid confusion.

**2. PROJECT LOCATION**

The grading and stormwater management revisions will apply to all of the unincorporated areas of the County of San Luis Obispo. It does not affect the incorporated cities.

**3. PROJECT DESCRIPTION**

The proposed project will modify portions of the Land Use Ordinance, Coastal Zone Land Use Ordinance, Coastal Plan Policies, and North Coast Area Plan by doing the following:

- Incorporating the General Construction Permit requirements into the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Strengthening enforcement practices.
- Incorporating Municipal Separate Storm Sewer System (MS4) requirements into the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Clarify the threshold for when grading permits are required.
- Modify the procedures for agricultural exemptions and the alternative review program.
- Implement Measure SL 2.3.1 of the Draft Conservation Element, which prohibits grading on slopes of 30 percent or more without a variance approval.
- Reorganize Chapter 22.52 of the Land Use Ordinance for ease of use.
- Replace Coastal Zone Land Use Ordinance Sections 23.05.020 through 23.05.050 with language that is consistent with Chapter 22.52.
- Implement a portion of Program 14 (Chapter 7) of the North Coast Area Plan by requiring development in the Lodge Hill Area of Cambria to adhere to MS4 requirements.

- Add new definitions to the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Update section number references in all affected documents.

## **ISSUES TO BE DISCUSSED IN THE EIR**

### **Section 1: The EIR Document**

The proposed grading and stormwater management revisions will be evaluated through a program EIR approach, which may function as a first tier for subsequent environmental documents. The issues described below shall be addressed in the EIR. All previous environmental work shall be incorporated as appropriate.

Environmental Setting: The environmental setting section shall include, but not necessarily be limited to, discussion of the physical setting, existing land uses, existing policies already part of the Land Use Ordinance and Coastal Zone Land Use Ordinance, and applicable policies and plans.

Structure: The EIR shall include an analysis of the grading and stormwater management revisions. The analysis shall assess all elements and issue areas that are required by CEQA including (but not limited to) the resources identified below:

- A. Agricultural Resources
- B. Air Quality
- C. Biological Resources
- D. Cultural Resources
- E. Drainage, Erosion, and Sedimentation
- F. Geologic Hazards
- G. Noise
- H. Public Safety
- I. Public Services and Utilities
- J. Traffic
- K. Visual Resources
- L. Water Resources/Wastewater
- M. Consistency with Locally Adopted Plans and Policies
- N. Cumulative Impacts
- O. Growth Inducement

### **Section 2: Areas of Focus**

There are a number of key issues related to the project which may result in potentially significant impacts and will be addressed in greater detail, including the following:

- A. Aesthetic / Visual impacts related to grading activities on steep slopes, in scenic areas, and development impacts associated with grading activities;

- B. Agricultural impacts associated with development on prime soils and impacts related to additional regulations for agricultural grading activities;
- C. Air quality impacts related to grading activities;
- D. Biological and botanical impacts associated with grading activities;
- E. Cultural impacts associated with grading near cultural resources;
- F. Grading in areas of unstable earth conditions (e.g. landslide and liquefaction ) has the potential to create adverse conditions;
- G. Water quality impacts related to grading activities near waterways; and
- H. Consistency with General Plan, LCP, strategic growth policies, and NPDES requirements.

### **Section 3: Alternatives**

Discussion and evaluation of project alternatives shall include, but not necessarily be limited to, the following:

No Project Alternative. Include an initial assessment of the impact(s) that may occur if the County did not adopt any of the proposed grading and stormwater management revisions. This analysis shall discuss the loss of potential benefits, as well as the potentially significant and insignificant adverse impacts that may be avoided.

Alternative Projects. After considering the existing information sources that are available, such as the existing county documents (see below - Section 3: Background Information), existing ordinance requirements and other pertinent information, project alternatives shall be prepared and considered. The alternatives analysis shall analyze a reasonable range of alternatives. As part of this analysis, possible strategies shall be considered that might reduce or eliminate the impacts that could result from County adoption/implementation of the grading and stormwater management revisions. The project alternatives shall be evaluated for their adverse and beneficial impacts. These alternatives would incorporate any combination of components from project, plus any additional components that the County identifies.

### **Section 4: Background Information**

The following materials and documents contain information and standards applicable to the project. All of the documents are available at the County's Planning Department / Environmental Division, and should be reviewed:

- A. County of San Luis Obispo Stormwater Management Plan (SWMP)
- B. County of San Luis Obispo Framework for Planning (both Inland and Coastal Zone).
- C. County of San Luis Obispo General Plan (both Inland and Coastal Zone).
  - i. Coastal Plan Policies

- ii. Agriculture & Open Space Element
  - iii. Environmental Plan (Conservation, Historic & Esthetic Elements)
  - iv. Conservation Element (Draft)
  - v. Housing Element
  - vi. Noise Element
  - vii. Parks & Recreation Element; and
  - viii. Safety Element.
- D. County of San Luis Obispo Land Use and Circulation Element (both Inland and Coastal Zone).
- E. County of San Luis Obispo Land Use Ordinance (both Inland and Coastal Zone).
- F. Resource Management System Annual Summary Report (2007)
- G. State Water Resources Control Board (SWRCB) General Permit for Storm Water Discharges Associated with Construction Activity (General Construction Permit)
- H. SWRCB Waste Discharge Requirements from Small Municipal Separate Storm Sewer Systems (General MS4 Permit)